



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,932	09/09/2003	Thomas Rogers	3230/OA/US (6794-000096/D)	1588
7590 09/28/2004			EXAMINER	
Pharmacia Corporation Global Patent Department P.O. Box 1027 St. Louis, MO 63006			PATEL, SUDHAKER B	
			ART UNIT	PAPER NUMBER
			1624	

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental
Notice of Allowability**

Application No.

10/657,932

Examiner

Sudhaker B. Patel, D.Sc.Tech.

Applicant(s)

ROGERS ET AL.

Art Unit

1624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/2/04.
2. ☒ The allowed claim(s) is/are 53-68.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 7/2/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.


EXAMINER'S AMENDMENT

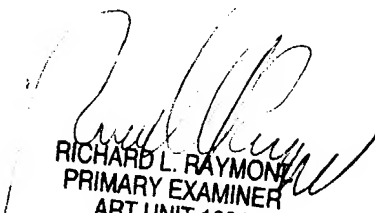
1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with ATTYs. Polster & Davis on 9/23/04.

The application has been amended as follows:

(1). In original claim 58 (renumbered claim 6) please delete [;] at the end of the claim, and replace it with . . .


SBP/9/23/04


RICHARD L. RAYMOND
PRIMARY EXAMINER
ART UNIT 1624

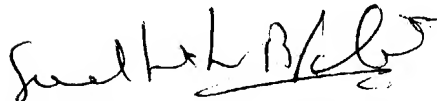
Art Unit: 1624

SUPPLEMENTAL
REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:
2. Applicants' preliminary amendment dated 9/9/03 is acknowledged. Applicants have cancelled claims 1-52 and presented new claims 53-68. Applicants also corrected claim 58 (See examiner's amendment). Therefore, the claims under consideration are the claims 53-68 which are renumbered as claims 1-16 respectively.
3. The closest prior art of record reference Chandrakumar et al (WO 9952896) teaches making of heterocyclic glycyl beta-alanine derivatives as vitronectin antagonists. See Example 2 on page 95 which has a core:
" Substituted pyridine-CO-NH-CH₂-CO-NH-CH (CH₂-COOH)-substituted phenyl".
The reference differs from the instant compounds by not having hydrogenated stilbene core.
4. The other prior art reference Duggan et al (U.S.P. 5919792 dated 7/1999) teaches compounds with heterocycle-NH-CH₂-aryl-CO-NH-CH₂-HC (COOH)-NHSO₂Ph (See columns 29-30, compound 2-5) and Pyridine-CH₂-CH₂-Phenyl-CO-NH-CH₂-CH (COOH)-NH-SO₂-Phenyl (See compound 5-10 in columns 41-42) and their utility as claimed herein. The ref. differs from the instant compounds by not having dihydrostilbene core as claimed herein.
5. The references either alone or in combination do not teach or indicate to arriving at the instant compounds having a core:
" Substituted heterocycle-NH- (CH₂) 3-O-Phenyl-SO₂-NH-CH (-CH₂-Phenyl)-CH₂pyridine)-CH₂-COOH". See instant Example 13 on page 78 and Example 14 on page 81. i.e. dihydrostilbene derivatives
6. Therefore, the instant invention is deemed to be novel and patentably distinct.
7. Signed copy of applicants' IDS paper dated 7/2/04 is enclosed with this communication for applicants' record.
8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sudhaker B. Patel, D.Sc.Tech. whose telephone number is (571) 272-0671. The examiner can normally be reached on 6:30 to 5:00 pm (Monday-Thursday). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dr. Mukund J. Shah can be reached on (571) 272 0674 or Sr. Examiner Mr. Richard Raymond at (571) 272 0673 or Mr. James O. Wilson at (571) 272-0661.
10. The fax phone numbers for the organization where this application or proceeding is assigned are 703 308 4556 for regular communications and 703 308 4556 for After Final communications.

Art Unit: 1624

11. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308 1235. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sudhaker B. Patel, D.Sc. Tech.
September 22, 2004

MUKUND SHAH
SUPERVISORY PATENT
EXAMINER
ART UNIT 1624/1623